

**MINUTES**  
**Town of Crested Butte**  
**Regular Town Council Meeting**  
**Monday, November 16, 2015**  
**Council Chambers, Crested Butte Town Hall**

Outgoing Mayor Huckstep and outgoing Councilmen Matuszewicz and Berkshire were presented with pictures of Elk Avenue and thanked for their service to the Town by Town Manager Todd Crossett.

Mayor Huckstep called the meeting to order at 6:04PM.

Council Members Present: Jim Schmidt, Glenn Michel, Chris Ladoulis, Shaun Matuszewicz, and Skip Berkshire. Also present were newly elected Mayor Glenn Michel and newly elected Council members Paul Merck, Erika Vohman, and Laura Mitchell. Roland Mason arrived shortly after the meeting began.

Staff Present: Town Manager Todd Crossett, Town Attorney John Belkin, Finance Director Lois Rozman, Public Works Director Rodney Due, Parks and Recreation Director Janna Hansen, Town Planner Michael Yerman, and Town Clerk Lynelle Stanford

Newly elected Mayor Glenn Michel and newly elected Council members Paul Merck, Erika Vohman, and Laura Mitchell were sworn in by Town Clerk Lynelle Stanford. They then took their seats.

**ELECTION OF MAYOR PRO TEM**

Schmidt moved and Merck seconded a motion to appoint Roland Mason as the Mayor Pro Tem. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

**APPROVAL OF THE AGENDA**

Under New Business, number 1, was moved to the next meeting, and number 6 was removed from the agenda.

Belkin requested the addition of Executive Session after Legal Matters for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. 24-6-402(4)(e). The subjects were Mt. Emmons and what was previously known as the Slate River Annexation. He stated no action would be taken. Schmidt confirmed the Executive Session could come after Council Reports and Updates.

Schmidt moved and Merck seconded a motion to approve the agenda as amended. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

## **CONSENT AGENDA**

**1) Approval of November 2, 2015 Regular Town Council Meeting Minutes.**

**2) Approval of 2016 Council Meeting Calendar.**

Merck moved and Schmidt seconded a motion to approve the Consent Agenda. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

## **RECOGNITION OF DAVID JELINEK FOR COMPLETION OF THE COLORADO PUBLIC WORKS INSTITUTE**

John Harris, Public Works Director for Montrose, Colorado presented Jelinek with a certificate for completing the Colorado Public Works Institute. Harris explained it was a ninety-hour training geared towards public works professionals.

## **PUBLIC COMMENT**

Glo Cunningham - 324 Teocalli Avenue

- Thanked the three new incoming Council members, and she congratulated Michel.

Erich Ferchau – From Gunnison

- Congratulated the new Council.
- Was present to introduce himself to the Council. He expected to submit an application to the Town.

## **STAFF UPDATES**

Lynelle Stanford

- Asked the Council to save the date for the holiday party on December 11.
- Mentioned upcoming special events, including a new event called the Fat Bike World Championships.
- Reminded those who ran in the election that campaign finance forms would be due on December 3.

Rodney Due

- Crews were busy getting equipment ready.

Michael Yerman

- They held the second affordable housing class, and there were about twenty people who attended.
- The next work session would start at 5PM, and it would be on affordable housing guidelines.

- Appointments to the new Creative District Commission were time sensitive.
- Schmidt asked to whom he should refer people with affordable housing questions. Yerman said it was best to contact him via email.

Lois Rozman

- There was a 3<sup>rd</sup> quarter financial update in the packet.
- September sales tax was up 3.5%.
- Rozman explained the effects of Whatever. She took out one time Whatever monies that came directly from vendors. She said bars and restaurants were down 9% for September, but they were still missing filers. She went through the bar/restaurant zone on Elk Avenue to compare 2014 to 2015, and numbers were all over the board.

Janna Hansen

- Just completed the Big Mine Master Plan. Utilities were budgeted for 2016.
- Tennis courts were completed, but they hoped to resolve a defect in the surface of the courts soon.
- The dirt jumps were relocated, and they were working on grant funding.
- Was hoping to have an updated weed management plan.
- She would also be coming to the Council with an updated budget after the passage of the sales tax.
- Schmidt asked when the ice rink would be opening. Hansen said they would be making ice on the 23<sup>rd</sup>.

Todd Crossett

- The One Valley Prosperity Project meeting was well attended. They were moving into action planning committees.
- Mentioned an issue that arose concerning the Pro Challenge. The organization changed hands, and they contacted the Chamber. They were requesting letters of interest from communities. Crossett suggested that he could send a letter from the Town administratively indicating Crested Butte would be interested in reviewing a proposal. It was decided to take up the topic under Other Business.

#### **4) Approval of 2015/2016 Snow Plan.**

Agenda item was moved to allow the Public Hearing to occur around 7PM as noticed to the public.

Due highlighted items in the snow plan, such as the plan typically covered from December 1 to April 1, but they would be starting with snow removal at three inches right away this year. They would strive to keep Elk Avenue and the bus and emergency routes down to the pavement. Due also said they had the snow cam available online for out of town employees to view the snowfall. He identified the objective of enlisting assistance from Gunnison Dispatch to periodically help monitor the snow cam, particularly when the Marshals were off duty.

It was asked if the purchase of the lot that was on the agenda affected the snow plan. Due said the snow plan would need to be revised if the Town didn't purchase the lot. Due explained the plan for the snow banks, and he said they watched the weather all the time to determine when they were pulled.

Hansen's department was in charge of the sidewalks. She said their priorities were 8<sup>th</sup> Street and then Elk Avenue. She said they started snow removal at one inch of accumulation. She encouraged the Council to look at snow storage lots and what could be going away when affordable housing was built out. She said snow storage was not good for grass (in parks).

Schmidt wanted to know what was different from last year. Due said plowing at the three-inch mark before December 1 and asking for assistance from Dispatch were the changes. Hansen briefly explained the cut outs on the Elk Avenue sidewalks. Merck then questioned the usage of snow melting machines. He thought it would be good to try them. Due stated towns that used them had developed storm sewer systems. Due said they would only store snow on Blocks 79 and 80 in an emergency because of the utilities that were installed. Mitchell questioned the plowing on the south side of Stepping Stones. She thought kids were encouraged to play on the giant snow banks, which was a safety hazard. Ladoulis agreed with Merck's idea of considering snow melting systems. He wondered what other plans there were to add snow storage. Due said there was a list of lots that Town would consider purchasing. The lot near Pitas had been a priority for a number of years. Due said a snow melt facility would create a huge carbon footprint. Schmidt recalled that Aspen tried to melt snow, and they abandoned it. In addition, Due recognized they would be responsible for what was in the snow, and it would have to be treated. Ladoulis confirmed the snow plan accounted for the purchase of the lot near Pitas.

Schmidt moved and Merck seconded a motion to approve the Town of Crested Butte 2015-2016 Snow and Ice Control Operations Plan. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

### **PUBLIC HEARING**

**1) Ordinance No. 11, Series 2015 – An Ordinance of the Crested Butte Town Council Authorizing the Town's Purchase and Acquisition of Lots 17 and 18, and the North 6.25 Feet of Lot 19, Block 27, Town of Crested Butte, County of Gunnison, State of Colorado for the Purchase Price of \$837,250.00.**

Michel confirmed proper public notice was given. Crossett explained the lot was across the alley south from Pitas. It was a vacant lot that had been used for snow storage. The lot would allow crews to push snow, store the snow, and then come back and blow it. Crossett said Town would need to add a crew for snow removal if they didn't obtain the lot, which would cost about \$160K per year. Initially, the lot was for sale for \$1M, and the appraisal came in at \$850K. The lot could also be used for parking in the summer. Funds to purchase would come from the parking in lieu balance and the sales tax fund.

Due added that it was a critical snow lot to keep the core area clear. He said that with the cost of having to guarantee availability of a contractor to remove snow, it would be a six year payback.

The discussion was opened to public comments, and there were none. It was opened to Council discussion. Mason asked if it would make sense to purchase equipment instead of hiring a contractor. Due said Town had the equipment; the problem was getting the personnel to run it. They would need five more seasonal operators with CDLs, and he had trouble getting one. Mitchell questioned if the sellers would pay the Real Estate Transfer Tax (RETT). Rozman explained the RETT was not applicable when the government was the purchaser. Ladoulis felt they tended to react, instead of looking ahead. He explained he would vote against the purchase because he felt they were paying too much, and he didn't appreciate the process.

Schmidt moved and Mason seconded a motion to approve Ordinance No. 11, Series 2015. A roll call vote was taken with all voting, "Yes," except Ladoulis voted, "No."  
**Motion passed.**

### **NEW BUSINESS**

#### **1) Presentation by Town Manager Regarding Town Council Orientation.**

Agenda item deferred.

#### **2) Ordinance No. 12, Series 2015 – An Ordinance of the Crested Butte Town Council Amending Chapter 6-2 of the Crested Butte Municipal Code Providing for a Temporary Reduction to Certain Portions of the Business and Occupation Licensing Tax for the Fiscal and Calendar Year of 2016; and Providing the Automatic Repeal Thereof Effective on the First Day of January, 2017.**

Rozman explained the ordinance reduced the annual business license fee to a flat \$100, rather than the fee being based on the number of employees. She further explained the ordinance had to be passed annually to comply with TABOR regulations. They were able to keep the higher BOLT license renewal fees available to Council without having to go to a vote. Rozman confirmed for Ladoulis that there was no sunset.

Ladoulis moved and Schmidt seconded a motion to set Ordinance No. 12, Series 2015 for public hearing at the December 7, 2015 Council meeting. **Motion passed.**

#### **3) Ordinance No. 13, Series 2015 – An Ordinance of the Crested Butte Town Council Adopting Changes and Additions to the 2015 Budget and Appropriations Relative to the General Fund, Sales Tax Fund and Street & Alley Fund.**

Rozman stated the request was from the Finance Department to move \$6K from money budgeted for Muni Revs in 2016 to be used in 2015, which would help facilitate upcoming sales tax changes, and it would be easier on the businesses to do one major

change. Schmidt questioned the \$5,800 to the County for the voter rolls project. Crossett said he could obtain a report with the results.

Ladoulis moved and Mason seconded a motion to set Ordinance No. 13, Series 2015 for public hearing at the December 7, 2015 Council meeting. **Motion passed.**

#### **4) Approval of 2015/2016 Snow Plan.**

Item was moved before the Public Hearing.

#### **5) Presentation on the Status of the Crested Butte Creative District.**

Marcie Erion, Business Development Specialist for the City of Loveland and Colorado Creative Industries (CCI) Consultant, presented at the meeting.

Yerman began by explaining they met with Creative District stakeholders, and the next task was to bring forth in ordinance form. Once the commission was formed, they would have six months to complete key tasks.

Erion helped to write legislation for the district. She gave an overview of the creative district program and a district summary. She stated that legislation was passed in 2011 to leverage assets for increased economic impact. Creative districts were meant to bring creativity, revitalize and rehabilitate communities, and to improve quality of life in general. In 2014, Crested Butte became a candidate, and then there were two years to work through requirements. Erion listed benefits to being a part of the creative district network such as: partnering with CDOT to get way finding signs, increased access to financial support, and connecting artists to financial opportunities. The most successful districts had initial government support.

Erion reviewed steps and requirements in the near term. They already created a strategic plan. Council would need to approve an ordinance for the commission, and board members needed to be selected. The development of a website and a budget were required. In June, a finalized marketing plan and sustainability model needed to be completed. They would also need to address staffing needs for ongoing requirements and data collection.

Erion described the role of Creative District Commission. The Town was the governing and fiscal agent. It would be comprised of seven volunteer members, including one staff liaison and one Council representative as a non-voting member. Terms would be one to three years. Yerman clarified the role of the commission was to make recommendations for the Council to approve.

Erion provided an overview on public art, and she gave examples of public art such as: permanent pieces on display, way finding, installations, murals, performances, artists in residence, fences, pathways, and flower boxes. Yerman said they were in the process of forming the commission, and they needed to get seven members on board. The four tasks

were key to complete, and once through them, Town could apply for candidacy. They were in the process of bringing the community along.

**6) Authorize Mayor to Sign a Letter of Commitment to Participate in Region 10 Phase 2 DOLA Broadband Grant Application.**

Item was removed from the agenda.

**LEGAL MATTERS**

Belkin provided a copy of the CML open meetings law summary concerning executive sessions. He said staff, Belkin, or a Council member could call an executive session, and executive sessions could only happen for certain reasons. Additionally, Council couldn't take action during executive sessions.

Belkin mentioned the possibility of an on-boarding session on December 7, and there could be several training sessions in retreat mode. Crossett added there were ongoing conversations they needed to pick up, as well as discussions having to do with roles and responsibilities and what could be done to work better as a team. Crossett also cited interest in moving into a strategic planning process. He thought they could minimize being in reactive mode. Michel suggested they get out information on ex-parte requirements. Crossett said on December 7 they would address the organization chart, sunshine laws, quasi judicial, and legislative matters.

Mason accepted his appointment as Mayor Pro Tem.

**COUNCIL UPDATES AND COMMITTEE UPDATES**

Glenn Michel

- Mentioned they would appoint committee responsibilities at the next meeting, and Council members should speak to him with specifications.
- There would be a Mountain Express meeting this upcoming Thursday.

Jim Schmidt

- Met with the Creative Arts Committee.

Roland Mason

- There was a RTA meeting last Friday. United was pulling spring service, beginning in April to June 4. United provided a number, \$370K, that would cover the cap, but it would set precedence for future Denver flights.
- 5A passed, and they were in the process of allocating potential new funds to work for the community. Mountain Express was going to ask for monies to pay for a cut away bus to drive seniors in Crested Butte.
- Schmidt questioned if United indicated anything about fall service. Mason said fall wasn't an issue.

## **OTHER BUSINESS TO COME BEFORE THE COUNCIL**

The Council discussed the Pro Challenge. Crossett said the event organizers contacted Dave Ochs through the Chamber. They were considering routes, and they were asking communities that might be interested in being on the route to submit letters of interest by the 23<sup>rd</sup>. Crossett said there wasn't anything budgeted for the event. He said he could send a letter indicating Crested Butte was interested but couldn't make commitments without more information. He said they could let it be if they had no interest. Ladoulis wondered if they spoke to Mt. Crested Butte, and Michel said their mayor would be bringing it up to their council. Mason said every year the price went up, and they had talked to them before about the major sponsor piece. He also said at one point they were trying to get people to Crested Butte. He said at this point, he didn't know that business owners were on board with closing Elk. Michel asked the Council if they were open to having the Pro Challenge. Schmidt was open to it, but it was a question of money. Merck didn't think they needed to pay for advertising. Mason reminded the Council that Mt. Crested Butte had a dedicated fund for marketing. However, it would come from Crested Butte's general fund. Mason said Crested Butte put money into open space. Michel asked if anyone was opposed to allowing the Town Manager to respond to the Pro Challenge. The Council agreed, and no one was opposed.

## **DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE**

- Monday, December 7, 2015 – 5:00PM Work Session – 7:00PM Regular Council
- Monday, December 21, 2015 – 6:00PM Work Session – 7:00PM Regular Council
- Monday, January 4, 2016 – 6:00PM Work Session – 7:00PM Regular Council

## **EXECUTIVE SESSION**

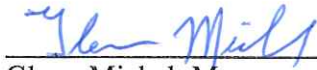
Ladoulis moved and Mason seconded a motion to go into Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. 24-6-402(4)(e) relative to the Mt. Emmons mine and what was formerly known as the Slate River Annexation. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

Council went into Executive Session at 8:07PM. Council returned to open meeting at 9:42PM. Mayor Michel made the required announcement before returning to the open meeting. No action was taken.



**ADJOURNMENT**

Mayor Michel adjourned the meeting at 9:43PM.



Glenn Michel, Mayor



Lynelle Stanford, Town Clerk

(SEAL)

